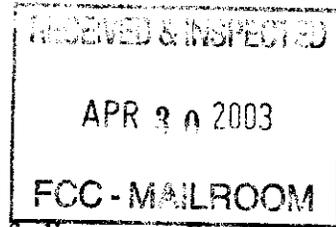


MAY 02 2003

Distribution Center

29 Oakwood Street
Albany, New York 12208

The Honorable Kathleen Q. Abernathy
Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554



As a concerned citizen I would like to address to you my feelings regarding Title I of the Telecommunications Act of 1996. The section of the Act from which I see the most problems arising is that which mandates the formerly-monopoly local phone companies to compete fairly with new incoming competitors. The purpose of Title I as I see it is to expand on the amount and scope of regulation. The ~~Bell phone companies~~ have come so far in the advancement of their services and features ultimately resulting in the status of "giant" in telecommunication services.

I, as a consumer of telecommunication services, get nervous as the word "giant" is used to describe a player in the industry. Competition is the only way to build a healthy economy. This we have learned as nation, through our mistakes dating far back in history.

Title I makes many provisions that do allow new incoming players into the telecommunication world easier than if there were none at all. The question lies in is it enough? New players are welcomed with full facilities-based entry, ability to purchase unbundled network elements from incumbent local exchange carriers, and the resale of the incumbent's retail services. In order to be following what is mandated by Title I, the large companies (Bell) must let the competition in and show the FCC they have complied.

In a perfect world this would result in perfect competition and there would be no problem. Here is where my concern lies. Is there enough regulation of such big businesses as the Bell companies? I researched a court case from January of this year, *Cavalier Telecommunications v. Verizon Virginia*. Cavalier is a small company seeking to compete with Verizon in Virginia. Cavalier claims that Verizon has engaged in activities to squash their efforts such as: Refusing to make services such as "last mile" facilities available, Making misrepresentations about Cavalier to prospective customers, Imposing unreasonable technical and procedural hurdles, and raising Cavalier's costs. Cavalier raised antitrust claims against Verizon and the district court dismissed them. Covad, which is another relatively small competitor in the same market said this about the court's decision, "*The District Court turned its' back on 90 years of antitrust laws and in doing so, seriously undermined the prospects for competition to develop in local and national markets for telecommunication services.*"

I believe that although there is a basis of regulation coming from Title I, not enough is being done to foster healthy competition. The Bell companies are extremely wealthy and will stay that way until the FCC does something to help the little guys get a piece of the wealth. I think that instead of just mandating them to resell services and unbundled network elements, the FCC should mandate a quota to be filled on just how many are being sold and operated. So instead of these big businesses saying; We will do

No. of Copies rec'd 0
List ABCDE

it, they will say; We have done it. This in turn will prevent dirty competition as I mentioned in the *Cavalier v. Verizon* case. This will create a healthier competitive economy and we as the consumers will come out the winners.

Thank you very much for taking the time to listen to what I have to say.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy M. Pratt', with a long horizontal flourish extending to the right.

Amy M. Pratt